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Modification Date: January 5, 2004

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA-002462-7

State of Washington
DEPARTMENT OF ECOLOGY
Spokane, Washington 99205-1295

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

City of Walla Walla
P.O. Box 478
Walla Walla, Washington 99362

is authorized to discharge in accordance with the special and general conditions that follow:

Plant Location: 571 Hatch Street, Walla
Walla, WA 99362

Water Body I.D. No.: WA-32-1060

Plant Type: Activated Sludge and Trickling
Filters

Receiving Water: Mill Creek

Discharge Location: Mill Creek, Blallock and
Gose Irrigation Districts -- Latitude: 46° 03' 56"
N; Longitude: 118° 22' 38" W.

James M. Bellatty
Water Quality Section Manager
Eastern Regional Office
Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	Monthly	December 15,2000
S3.E	Noncompliance Notification	As necessary	
S4.B.	Plans for Maintaining Adequate Capacity	As necessary	
S4.C.	Notification of New or Altered Sources	As necessary	
S4.D.	Infiltration and Inflow Evaluation	Annually	July 31, 2001
S4.E.	Wasteload Assessment	Annually	July 31, 2001
S5.G.	Operations and Maintenance Manual		April 30 2001
S7.D.	Industrial User Survey Update	1/permit cycle	December 31, 2004
S9.B	Acute Toxicity Effluent Characterization with Permit Renewal Application	1/permit cycle	December 31, 2004
S10.B	Chronic Toxicity Effluent Characterization with Permit Renewal Application	1/permit cycle	December 31, 2004
G1.	Notice of Change in Authorization	as necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for permit renewal	1/permit cycle	December 31, 2004

SPECIAL CONDITIONS**S1. Discharge LIMITATIONS****A. Effluent Limitations (Discharge to Mill Creek)**

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date the Permittee is authorized to discharge municipal wastewater at the permitted location from December 1st through April 30th subject to the following limitations:

	EFFLUENT LIMITATIONS ^(a) (Outfall No. 001)			
Parameter	Average Monthly		Average Weekly	
Carbonaceous Biochemical Oxygen Demand ^(b) (5 day)	15.0 mg/L, 1200 lbs/day		22.0 mg/L, 1800 lbs/day	
Total Suspended Solids ^(b)	30.0 mg/L, 1266 lbs/day		45.0 mg/L, 1899 lbs/day	
Fecal Coliform Bacteria	200/100 mL		400/100 mL	
pH ^(c)	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.			
	Average Monthly		Maximum Daily ^(e)	
Total Residual Chlorine ^(d)	9.00 ug/L		17.90 ug/L	
	Interim Limits		Final Limits ^(f)	
Parameter	Average Monthly	Maximum Daily ^(e)	Average Monthly	Maximum Daily ^(e)
Total Ammonia (as NH3-N) ^(f)	8.0 mg/L	12.0 mg/L	1.49 mg/L	3.90 mg/L
^(a) The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.				
^(b) The average monthly effluent concentration for CBOD ₅ and Total Suspended Solids shall not exceed 15 mg/L or 15 percent of the respective monthly average influent concentrations, whichever is more stringent.				
^(c) Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations.				
^(d) Compliance and enforcement will be based on the detection of Total Residual Chlorine determined using the Standard Methods (20 th Edition) Method 4500-Cl G or other approved equivalent low-level detection method (EPA Testing Method No. 330.5 (40 CFR 136)).				

^(e) The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.

^(f) See Special Condition S1.E Schedule of Compliance.

METALS EFFLUENT LIMITATIONS (Outfall No. 001)			
	Interim Limits	Final limits ^(g)	
Parameter	Average Monthly	Average Monthly	Maximum Daily
Copper	28.01 ug/L	6.34 ug/L	8.85 ug/L
Lead	13.84 ug/L	3.95 ug/L	6.48 ug/L
Mercury	0.0808 ug/L	0.015 ug/L	0.022 ug/L
Silver	4.851 ug/L	1.18 ug/L	1.80 ug/L
Zinc	81.93 ug/L	54.94 ug/L	73.02 ug/L
^(g) See Special Condition S1.E Schedule of Compliance.			

Footnotes:

Parameter	Method Detection Limit (MDL)	Testing Method	Method Number (40 CFR Part 136)	Quantitation Level (QL)
Copper	1 ug/L	GFAA	220.2	5 ug/L
Silver	0.2 ug/L	GFAA	272.2	1 ug/L
Lead	1 ug/L	GFAA	239.2	5 ug/L
Mercury	0.2 ug/L	Cold Vapor	245.2	1 ug/L
Zinc	2 ug/L	ICP	200.7	10 ug/L

GFAA = Graphite Furnace Atomic Absorption Spectrometry

ICP = Inductively Coupled Plasma

These QLs will be used for assessment of compliance with these effluent limits. If the Permittee is unable to attain the MDL and QL in its effluent due to matrix effects, the Permittee shall submit a matrix specific MDL and QL to the Department by (nine months after the effective date of final limits). The matrix specific MDL and QL shall be calculated as follows:

MDL = 3.14 x (standard deviation of 7 replicate spiked samples). This corresponds to the calculation of the method detection limit, as defined in 40 CFR Part 136, Appendix B, with the provision that the MDL be calculated for a specific effluent matrix.

The QL = 5 x MDL

- (1) If the measured effluent concentration is below the QL as determined above, the Permittee shall report NQ for non-quantifiable when submitting data to compare with the maximum daily limit.

- (2) Average values shall be calculated as follows: measurements below the MDL = 0; measurements greater than the MDL = the measurement.

B. Effluent Limitations (Discharge to Blallock and Gose Irrigation Districts)

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge municipal wastewater at the permitted location from April 15th through December 15th of each year subject to the following limitations:

	EFFLUENT LIMITATIONS ^(a) (Outfall No. 002)	
Parameter	Average Monthly	Average Weekly
Biochemical Oxygen Demand ^(b) (5 day)	16 mg/L, 1281 lbs/day	24 mg/L, 1921 lbs/day
Total Suspended Solids ^(b)	10 mg/L, 800 lbs/day	15 mg/L, 1200 lbs/day
Total Coliform Bacteria ^(c)	2.2 CFU/100 mL	23 CFU/100 mL
Turbidity	15 NTU	22 NTU
pH ^(d)	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
^(a) The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
^(b) The average monthly effluent concentration for BOD5 shall not exceed 16 mg/L and Total Suspended Solids shall not exceed 10 mg/L or 15 percent of the respective monthly average influent concentrations.		
^(c) Total available (residual) chlorine shall be maintained which is sufficient to attain the Total Coliform limits specified above. Chlorine concentrations in excess of that necessary to reliably achieve these limits shall be avoided.		
^(d) Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations.		

C. Mixing Zone Descriptions

The maximum boundaries of the chronic mixing zones are defined as follows:

- (i) Not extend in a downstream direction for a distance from the discharge port(s) greater than three hundred feet plus the depth of water over the discharge port(s), or extend upstream for a distance of over one hundred feet;

- (ii) Not utilize greater than twenty-five percent of the flow; and
- (iii) Not occupy greater than twenty-five percent of the width of the water body.

The maximum boundaries of the acute mixing zones shall comply with the most restrictive combination of the following:

- (i) Not extend beyond ten percent of the distance towards the upstream and downstream boundaries of an authorized mixing zone, as measured independently from the discharge port(s);
- (ii) Not utilize greater than two and one-half percent of the flow; and
- (iv) Not occupy greater than twenty-five percent of the width of the water body.

D. Permit Reopening - Mill Creek Total Maximum Daily Load Study

The following conditions are required prior to reopening and modifying NPDES Permit No. WA-002462-7 to include language and effluent limitations for discharge to Mill Creek during the period of May 1st through November 30th: (1) The City completes the investigation and modeling of the discharge of ammonia to Mill Creek and the report is submitted to the Department for review. (2) The Department reviews the data, information and model presented in the TMDL report and confers with the Permittee to address any outstanding issues. (3) After the final TMDL report is completed and accepted by the Department, the results and recommendations in the TMDL report for discharge of ammonia to Mill Creek is submitted to EPA for approval. (4) When EPA approves the ammonia TMDL report, the Department will reopen NPDES Permit No. WA-002462-7 and modify the permit to include appropriate language and effluent limitations for discharge of ammonia to Mill Creek between May 1st through November 30th of each year. (5) The permit will be subject to normal Factual (15-days) and Public (30-days) review process prior to final issuance.

E. Schedule of Compliance

<u>Parameter</u>	<u>Compliance Date</u>
Metals Site Specific Criteria Plan	December 31, 2000
Final Metals Effluent Limits	December 31, 2003 ⁽¹⁾
Final Effluent Ammonia Limits	December 31, 2003 ⁽²⁾
Final O&M Manual	April 30, 2001
Reclaimed Water Limits	December 31, 2008
Annual Status Reports	December 31 st of each year

⁽¹⁾ The final effluent limitations for metals are based on available data and these final limits may be revised prior to the December 31, 2003, compliance date following the initiation of source testing and controls (pretreatment program) and additional effluent "clean" metals testing by the City of Walla Walla.

⁽²⁾ Prior to December 31, 2003 and upon request by the Permittee, the final ammonia effluent limits may be revised following the Department's adoption of EPA's ammonia criteria and/or EPA's approval of a revised ammonia TMDL for Mill Creek.

S2. MONITORING REQUIREMENTS**A. Monitoring Schedule**

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Outfall No. 001 (Discharge to Mill Creek); Outfall No. 002 (Discharge to Blallock and Gose Irrigation Districts)					
Wastewater Influent	Flow	MGD	Flow Meters (Headworks + Pump Station)	Continuous (1) (Total)	Measurement
"	CBOD ₅ (001)	mg/l	Headworks	5/week	24-Hour Composite
"	BOD ₅ (002)	mg/l	Headworks	5/week	24-Hour Composite
"	TSS	mg/l	Headworks	5/week	24-Hour Composite
"	TKN	mg/L	Headworks	5/week	Grab
Wastewater Effluent	CBOD ₅ (001)	mg/l	Chlorine Contact Basin Effluent	5/week	24-Hour Composite
"	BOD ₅ (002)	mg/l	"	5/week	24-Hour Composite
"	TSS	mg/l	"	5/week	24-Hour Composite
"	ph	Standard Units	"	Continuous	Measurement
"	Total Chlorine Residual	mg/L	"	Daily	Grab
"	Fecal Coliform (001)	CFU/100 mL	"	Daily (2)	Grab
"	Total Coliform (002)	CFU/100 mL	"	Daily (3)	Grab
"	Ammonia (as N) (001) (4)	mg/L	"	Daily	24-Hour Composite
"	Metals (001) (5)	ug/L	"	1/month	Grab

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	Priority Pollutant Scan	ug/L	"	2/permit cycle (6)	24-Hour Composite
"	Turbidity (002)	NTU	Filter Effluent	Continuous (7)	Measurement

- (1) Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken six times per 24-hour day when continuous monitoring is not possible.
- (2) Sampled when discharging to Outfall 001.
- (3) Sampled when discharging to Outfall 002.
- (4) Compliance and enforcement will be based on the detection of Total Ammonia (NH₃-N) determined using the Standard Methods (20th Edition) Method 4500-NH₃ F or other approved equivalent low-level detection method (EPA Testing Method No. 350.3 (40 CFT 136)).
- (5) Metals, as total recoverable: copper, lead, mercury, silver, and zinc. Sampled when discharging to Outfall 001. Final metals limits sampling beginning January 2002.
- (6) One within the first year after permit issuance and one with the permit application.
- (7) Turbidity monitoring is required when discharging to the irrigation districts. The turbidimeter shall be field verified daily and calibrated against a known standard whenever the verification test shows an error.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. However, for this permit the laboratory shall be registered or accredited for pH analysis. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by the Department.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Priority pollutant analysis data shall be submitted no later than 45 days following the monitoring period. The report(s) shall be sent to the Department of Ecology, Eastern Regional Office, 4601 North Monroe, Suite 202, Spokane, Washington 99205-1295.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. FACILITY LOADING

A. Design Criteria

Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded:

Average flow for the maximum month:----- 9.60 MGD
Maximum day flow: ----- 12.30 MGD
Instantaneous peak flow: ----- 20.90 MGD
BOD₅ loading for maximum month: ----- 10,815 lb./day
TSS loading for maximum month:----- 10,815 lb./day
Design population equivalent:----- 37,004
TKN, maximum month:----- 1,871 lbs/day

B. Plans for Maintaining Adequate Capacity

When the actual flow or wasteload reaches 85 percent of any one of the design criteria in S4.A. for three consecutive months, or when the projected increases would reach design capacity within five years, whichever occurs first, the Permittee shall submit to the Department, a plan and a schedule for continuing to maintain capacity at the facility sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet this objective.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.
2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
3. Limitation on future sewer extensions or connections or additional wasteloads.
4. Modification or expansion of facilities necessary to accommodate increased flow or wasteload.
5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or wasteload.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or increase in volume or change in character of an existing discharge into the sewer is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the collection or treatment system; (2) is not part of an approved general sewer plan or approved plans and specifications; or would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the system's ability to adequately transport and treat the added flow and/or wasteload.

D. Inflow and Infiltration (I/I) Evaluation

1. The Permittee shall continue its ongoing I/I abatement and sewer replacement program.
2. The Permittee shall submit yearly progress reports of its sewer replacement program with its annual assessment by July 31, 2001, and annually thereafter.

E. Wasteload Assessment

The Permittee shall conduct an annual assessment of their flow and waste load and submit a report to the Department by July 31, 2001 and annually thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, TKN, and total suspended solids loadings; and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if the Department determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Certified Operator

An operator certified for at least a Class IV plant by the State of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class III plant shall be in charge during all regularly scheduled shifts.

B. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of their obligations under this permit.

D. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. The Permittee shall maintain Reliability Class I (EPA 430-99-74-001) at the wastewater treatment plant, which requires primary sedimentation and disinfection.

E. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

The Permittee shall immediately notify the Department of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass -- Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee shall notify the Department in accordance with condition S3.E "Noncompliance Notification."

2. Anticipated Bypass That Has The Potential to Violate Permit Limits or Conditions -- Bypass is authorized by an administrative order issued by the Department. The Permittee shall notify the Department at least 30 days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; and (8) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

3. Bypass for Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, or adversely impact public health as determined by the Department prior to the bypass.

G. Operations and Maintenance Manual

The approved Operations and Maintenance Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this Manual.

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-080 and be submitted to the Department for approval by April 30, 2001. The O&M Manual shall be reviewed by the Permittee at least annually and the Permittee shall confirm this review by letter to the Department. Substantial changes or updates to the O&M Manual shall be submitted to the Department whenever they are incorporated into the Manual.

The Department recommends that the O&M Manual include the following:

1. Purpose of project; statement of accomplishment, expectations, relate purpose to NPDES requirements, layout of tributaries of plant, characteristics expected of each major contributor;
2. Design criteria, flow diagram, hydraulic profile, permit requirements, solids balance diagram, for total operation;
3. Description of unit process, purpose and intent of unit, operating parameters, means of achieving operating parameters, performance evaluation, safety procedures for unit, warranties;
4. Laboratory control, summary of tests required, equipment for each test, equipment maintenance, treatment plant process control monitoring schedule, sampling requirements, record keeping;
5. Procedures and testing schedules for field verification and calibration of the turbidimeter as per Standard Methods for the Analysis of Water and Wastewater, Section 2130 Turbidity.
6. Maintenance program, preventive, or regular, system, importance, record, proposed schedule, emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure;
7. Store room; parts inventory; equipment ID cards, reference material, equipment manufacturers' specifications, educational material available by topic;
8. Personnel, operational requirements, responsibilities, record keeping, accident records;
9. Agreements with dischargers to system, pretreatment, sewer ordinance, general safety.

S6. BIOSOLIDS MANAGEMENT PERMIT

The Permittee shall apply for a permit to use or dispose of sludge in accordance with the following requirements of the Clean Water Act Biosolids Permit process and the state General Permit for Biosolids Management:

1. The City will maintain on file with the Environmental Protection Agency (EPA) a current application for a federal biosolids (sewage sludge) permit under Section 405 of the Clean Water Act. Please contact EPA Region 10 (Seattle) NPDES Permit Unit, Richard Hetherington at (206) 553-1941, for biosolids permit application requirements.
2. Until the Department is authorized by EPA to issue Clean Water Act biosolids permits:
 - The City shall submit to the Department an application for a general biosolids permit. Please contact the Department of Ecology Solid Waste Financial Assistance Program, Patrick McGuire at (509) 456-6363, for biosolids permit application requirements.
 - The City is required to comply with specific land application portions of the EPA 40 CFR Part 503 regulations; notify the state, and EPA of major sludge management changes; submit monitoring reports; and update the federal biosolids permit application if there are major changes; i.e., designated “land applier”.

S7. PRETREATMENT**A. General Requirements**

The Permittee shall work with the Department to ensure that all commercial and industrial users of the publicly owned treatment works (POTW) are in compliance with the pretreatment regulations promulgated in 40 CFR Part 403 and any additional regulations that may be promulgated under Section 307(b) (pretreatment) and 308 (reporting) of the Federal Clean Water Act.

B. Wastewater Discharge Permit Required

The Permittee shall not allow significant industrial users (SIUs) to discharge wastewater to the Permittee's sewerage system until such user has received a wastewater discharge permit from the Department in accordance with Chapter 90.48 RCW and Chapter 173-216 WAC, as amended.

C. Identification and Reporting of Existing, New, and Proposed Industrial Users

1. The Permittee shall take continuous, routine measures to identify all existing, new, and proposed SIUs and potential significant industrial users (PSIUs) discharging or proposing to discharge to the Permittee's sewerage system (see Appendix B of Fact Sheet for definitions).

2. Within 30 days of becoming aware of an unpermitted existing, new, or proposed industrial user who may be an SIU, the Permittee shall notify such user by registered mail that, if classified as an SIU, they shall be required to apply to the Department and obtain a State Waste Discharge Permit. A copy of this notification letter shall also be sent to the Department within this same 30-day period.
3. The Permittee shall also notify all PSIUs, as they are identified, that if their classification should change to an SIU, they shall be required to apply to the Department for a State Waste Discharge Permit within 30 days of such change.

D. Industrial User Survey Update

1. The Permittee shall submit to the Department an updated Industrial User Survey listing all SIUs and PSIUs discharging to the POTW. The survey shall be received by the Department by (180 days prior to expiration of the permit). At a minimum, the list of SIUs and PSIUs shall be developed by means of a telephone book search, a water utility billing records search, and a physical reconnaissance of the service area. Information on PSIUs shall at least include: the business name, telephone number, address, description of the industrial processes, and the known wastewater volumes and characteristics. For assistance with the development of the Industrial User Survey, the Permittee shall refer to the Department's guidance document entitled "Performing an Industrial User Survey".

E. Duty to Enforce Discharge Prohibitions

1. In accordance with 40 CFR 403.5(a), the Permittee shall not authorize or knowingly allow the discharge of any pollutants into its POTW which cause pass through or interference, or which otherwise violates general or specific discharge prohibitions contained in 40 CFR Part 403.5 or WAC-173-216-060.
2. The Permittee shall not authorize or knowingly allow the introduction of any of the following into the POTW:
 - a. Pollutants which create a fire or explosion hazard in the POTW (including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21).
 - b. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, or greater than 11.0 standard units, unless the works are specifically designed to accommodate such discharges.
 - c. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the POTW.

- d. Any pollutant, including oxygen demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
 - e. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through.
 - f. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems.
 - g. Heat in amounts that will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities such that the temperature at the POTW headworks exceeds 40⁰C (104⁰F) unless the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.
 - h. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.
 - i. Wastewaters prohibited to be discharged to the POTW by the Dangerous Waste Regulations (Chapter 173-303 WAC), unless authorized under the Domestic Sewage Exclusion (WAC 173-303-071).
3. All of the following are prohibited from discharge to the POTW unless approved in writing by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or the need to augment sewage flows due to septic conditions):
- a. Noncontact cooling water in significant volumes.
 - b. Stormwater, and other direct inflow sources.
 - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment, or would not be afforded a significant degree of treatment by the system.
4. The Permittee shall notify the Department if any industrial user violates the prohibitions listed in this section.

S7. RESIDUAL SOLIDS

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

S8. ACUTE TOXICITY**A. Testing Requirements**

The Permittee shall test final effluent once in the fourth winter and submit results with the application for permit renewal. The three species listed below shall be used on each sample and the results submitted to the Department as a part of the permit renewal application process. The Permittee shall conduct acute toxicity testing on a series of five concentrations of effluent and a control in order to be able to determine appropriate point estimates and an NOEC. The percent survival in 100% effluent shall also be reported.

Acute toxicity tests shall be conducted with the following species and protocols:

- 1) Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA/600/4-90/027F)
- 2) Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA/600/4-90/027F).
- 3) Rainbow trout, *Oncorhynchus mykiss* (96-hour static-renewal test, method: EPA/600/4-90/027F)

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.
2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.
3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.
6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.
7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC.
8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29% as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

S9. CHRONIC TOXICITY

A. Testing Requirements

The Permittee shall test final effluent once in the fourth winter and submit with the application for permit renewal. All of the chronic toxicity tests listed below shall be conducted on each sample. The results of this chronic toxicity testing shall be submitted to the Department as a part of the permit renewal application process.

The Permittee shall conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control in order to be able to determine appropriate point estimates and an NOEC. This series of dilutions shall include the acute critical effluent concentration (ACEC). The ACEC equals 99% effluent. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

Chronic toxicity tests shall be conducted with the following species and the most recent version of the following protocols:

Freshwater Chronic Toxicity Test Species		Method
Fathead minnow	<i>Pimephales promelas</i>	EPA/600/4-91/002
Water flea	<i>Ceriodaphnia dubia</i>	EPA/600/4-91/002

B. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results.
2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.
3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.
4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.
6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.
7. The Permittee may choose to conduct a full dilution series test in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC and the CCEC. The ACEC and CCEC may either substitute for the effluent concentration that is closest to it in the dilution series or be an extra effluent concentration.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department.
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
 - 1. Violation of any permit term or condition.
 - 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
 - 3. A material change in quantity or type of waste disposal.
 - 4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].
 - 5. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR part 122.64(4)].
 - 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
 - 7. Failure or refusal of the permittee to allow entry as required in RCW 90.48.090.
- B. The following are causes for modification but not revocation and reissuance except when the permittee requests or agrees:
 - 1. A material change in the condition of the waters of the state.
 - 2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
 4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
 5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR part 122.62.
 6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
 7. Incorporation of an approved local pretreatment program into a municipality's permit.
- C. The following are causes for modification or alternatively revocation and reissuance:
1. Cause exists for termination for reasons listed in A1 through A7 of this section, and the Department determines that modification or revocation and reissuance is appropriate.
 2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new permittee.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports whenever a material change to the facility or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least sixty (60) days prior to any proposed changes. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G8. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G9. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].

G10. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G11. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G12. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G13. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G14. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S5 of this permit.

In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G15. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G16. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G17. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G18. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G19. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation of the terms and conditions of this permit.

G20. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Department.

G21. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Department, it shall promptly submit such facts or information.